

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at Four Grade Crossings of the Wisconsin Central Ltd. Tracks in the Town of Lisbon and the Village of Sussex, Waukesha County

9164-RX-516

SUPPLEMENTAL ORDER

On July 16, 2004, the Office of the Commissioner of Railroads (OCR) issued an order that required the installation of 12" LED automatic flashing lights with barrier gates, and constant warning time circuitry with remote monitoring capability at of the public crossing of the Wisconsin Central Ltd. (WCL or railroad) tracks with Good Hope Road in the Village of Sussex, Waukesha County by December 31, 2005 (crossing no. 692 253S / CM 107.79).

Upon further consideration the Commissioner recognizes that one significant issue was not addressed in the order for the barrier gate. Specifically, the locking mechanism into which the barrier gate locks must be kept clear snow and ice in order to operate properly. This responsibility is more reasonably assigned to the Village than the railroad. The Village has public works employees who can be dispatched to routinely clear snow and ice from the barrier gate locking mechanism. The railroad does not have workers available locally to perform this task.

THEREFORE, IT IS ORDERED,

1. That the **Village of Sussex** shall routinely keep the barrier gate locking mechanisms clear of snow and ice.
2. That jurisdiction is retained.

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads